

**5 FY 19/20
March 6, 2019**

**AN ORDER TO STUDY THE THREATS OF
PFAS CONTAMINATION TO PUBLIC HEALTH AND THE ENVIRONMENT**

WHEREAS, Perfluoroalkyl and Polyfluoroalkyl (PFAS) are chemicals that are not naturally occurring, are stable and persistent in the environment, bioaccumulative, toxic at low concentrations, and easily transferred to groundwater and other media; and

WHEREAS, the use of PFAS in thousands of commercial and industrial applications, processes, and products has resulted in detectable concentrations in drinking water, soil and vegetation throughout the country, including sites in Maine; and

WHEREAS, the United States Environmental Protection Agency has established a lifetime health advisory level for perfluorooctanoic acid and perfluoro octane sulfonate in drinking water, and has developed a National Action Plan to protect public health from exposure to these compounds; and

WHEREAS, Maine State agencies are charged by *M.R.S. Titles 7, 22 and 38* with protecting public health and the environment from the risks of human exposure to these substances; and

WHEREAS, a coordinated response informed by persons with pertinent expertise is necessary to study PFAS distribution, assess the potential environmental and health impacts of PFAS, and recommend effective strategies to reduce or eliminate or reduce those impacts;

NOW THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to authority conferred by *Me. Const. Art. V, Pt. 1, §1 and §12*, do hereby Order the following:

I. ESTABLISHMENT

The Governor's Task Force on the Threats of PFAS Contamination to Public Health and the Environment (Task Force) is hereby created. The purpose of the Task Force is to identify the extent of PFAS exposure in Maine, examine the risks of PFAS to Maine residents and the environment, and recommend State approaches to most effectively address this risk.

II. MEMBERSHIP

The Task Force shall consist of the following members:

A. The Commissioners, or their designees, of the Departments of:

1. Environmental Protection;

2. Health and Human Services;
 3. Agriculture, Conservation and Forestry; and
 4. Defense, Veterans and Emergency Management;
- B. A public health physician designated by the Maine Public Health Association;
- C. A representative, selected jointly by the Commissioners of Environmental Protection and Health and Human Services, from:
1. A Maine-based non-profit whose mission includes protecting human health and the environment from the effects of chemical contamination;
 2. Maine's pulp and paper industry; and
 3. A Maine-based association of:
 - a. Certified wastewater treatment plant operators;
 - b. Drinking water supply professionals; and
 - c. Biosolids and residuals management professionals.

The Commissioner of Environmental Protection shall, after conferring with the Governor, select a chair of the Task Force.

III. DUTIES

The Task Force shall:

- A. Review information regarding known locations of PFAS detection in Maine and the status of any response strategies for those sites;
- B. Identify significant data gaps in the knowledge of PFAS in Maine and develop recommendations to address such gaps;
- C. Identify opportunities for public education regarding PFAS contamination and the effects of its exposure on public health and the environment;
- D. Identify the sources of PFAS contamination and exposure pathways that pose the greatest risk to public health and the environment in Maine;
- E. Examine the benefits and burdens of various treatment and disposal options for PFAS-contaminated media;
- F. Assess how State agencies can most effectively use their existing authority and resources to reduce or eliminate priority and other risks from PFAS contamination;
- G. Determine the inventory and use of fluorinated Aqueous Film Forming Foam in firefighting and fire training activities in Maine and evaluate effective nonfluorinated alternatives; and

- H. Examine Maine and other data regarding PFAS contamination in freshwater fish and marine organisms and determine whether further such examination is warranted.

IV. OPERATIONS

The Task Force shall meet at the call of its Chair. The Task Force may form workgroups, make inquiries, conduct studies, hold public hearings and otherwise solicit and consider public comment. The Task Force may also consult with outside experts including those in other governmental agencies, institutions of higher education, non-governmental organizations, and the private sector. The Task Force shall issue a written report as soon as reasonably practicable.

V. OTHER

State agencies shall assist the Task Force in the performance of its duties and provide administrative and other support as requested. This Order shall not be construed to limit the discretion of any such agency to exercise its lawful authority to take any such action it deems necessary and appropriate to address issues of PFAS contamination.

VI. EFFECTIVE DATE

The effective date of this Order is March 6, 2019.

Janet T. Mills, Governor